



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

EXPEDITE HAZARDOUS MATERIALS SITE CLEANUPS WITH THE DESIGNATION OF A LEAD AGENCY

FACT SHEET

January 1997

SUMMARY

- Assembly Bill (AB) 2061 (Umberg) amended the Health and Safety Code by adding Chapter 6.65 to Division 20. The law took effect on January 1, 1994. The purpose of the Site Designation Process which was established by AB 2061 is to allow a Responsible Party (as defined) who agrees to carry out a site investigation and remedial action to request the Site Designation Committee within the California Environmental Protection Agency (Cal/EPA) to designate a single state or local agency to oversee the cleanup action.
- This law was subsequently amended by Senate Bill 923 (Calderon), effective January 1, 1995, to expand the role of the Site Designation Committee to select up to 30 pilot project sites for acceptance into the Expedited Remedial Action Program (ERAP) located within the Department of Toxic Substances Control (DTSC).

BACKGROUND

- The Site Designation Process was developed to eliminate and/or minimize the duplication of effort of state and local regulatory agencies involved in the oversight of private sector cleanups of hazardous materials release sites.
- The Lead Agency (or Administering Agency) for a "hazardous materials release site" is authorized to supervise all aspects of site cleanup and is granted sole jurisdiction over all activities necessary to respond to a hazardous materials release.
- The Lead Agency is also responsible for maintaining communication with the state/local regulatory agencies not designated as the Lead Agency for appropriate consultation.

PROCESS

- Interested Responsible Parties may submit an application to Cal/EPA requesting that the Site Designation Committee designate a specified local or state agency as the lead for a site.

- Once submitted, the application is reviewed by the Site Designation Committee which consists of representatives from certain Cal/EPA Departments and Boards as well as the Department of Fish and Game. The Committee then designates a lead agency. In some cases the Committee may determine that a Lead Agency cannot be determined under current statutory provisions.
- Parties interested in participating in the Expedited Remedial Action Program work with DTSC staff to prepare an application. The Site Designation Committee reviews the application and makes a decision whether to deny or admit the applicant (site) into the Program.
- Upon completion of site cleanup (which includes a determination by the Lead Agency that the Responsible Party has complied with the requirements of all applicable state and local laws, ordinances, regulations, and standards), the Lead Agency provides a certification of completion. The certification of completion provides that no additional work need be done absent special circumstances.

There is a detailed "Fact Sheet and Implementation Guide" maintained by Cal/EPA which provides a more thorough discussion of the Site Designation Process and Lead Agency responsibility. This document includes guidance for coordinating regulatory agency activities as necessary during the various phases of site investigation and cleanups. The document also contains an application form and instructions.

- For additional information regarding the Site Designation Process, please contact Cal/EPA at (916) 324-9670.